Best ailable Copy



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov

Paper No. 21

Husch Blackwell Sanders, LLP Welsh & Katz 120 S Riverside Plaza 22nd Floor Chicago, IL 60606

OCT 2 2 2008

OFFICE OF PETITIONS

In re Patent No. 5,935,846

Issue Date: August 10, 1999

Application No. 08/793,833

Filed: February 18, 1997

Patentee(s): Johannes Schumacher, et. al.

NOTICE

This is a Notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28, filed on September 30, 2008.

The instant request is not signed by an attorney of record. However, in accordance with 37 CFR 1.34(a), the signature of Lawrence M. Jarvis appearing on the request shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts. Therefore, a courtesy copy of this Notice is being mailed to Mr. Jarvis.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby <u>ACCEPTED</u>. Therefore, status as a small entity has been removed.

nquiries related to this communication should be directed to the undersigned at (571) 272-3226.

Petitions Examiner
Office of Petitions

cc: McAndrews, Held & Malloy, Ltd.

500 West Madison – 34th Floor

Chicago, IL 60661